In Chancery.

Between JOHN H. LITTLE,

Plaintiff,

AND

Thomas Little, Mary Jane Adams, wife of Reuben Adams, and the said Reuben Adams, Sarah Ann Brown, wife of Sobeski Brown, and the said Sobeski Brown, Jemima Bennett, wife of James Bennett, and the said James Bennett, Margaret Cummins, wife of Isaac Cummins, and the said Isaac Cummins, James Hiram Brown, Boliver Samuel Brown, an infant under the age of twenty-one years, Sobeski Little, Malissa Little, Matilda Little the younger, James Benson Little, Olive Little, Mary Alice Little—the last four being infants under the age of twenty-one years—Martha Jane Defield, Sabra Ann Weir, wife of John Weir, and the said John Weir, Jemima Emeline Colquhoun, wife of Nelson Colquhoun, and the said Nelson Colquhoun, Sarah Mair Mantle, James Edmond Mantle, George Washington Mantle, Sobeski Brown Mantle—the last two being infants under the age of twenty-one years—James Seales and Matilda Little,

Defendants.

CITY OF LONDON: } To the Honorable the Judges of the Court of Chancery.

The Bill of Complaint of JOHN H. LITTLE, of the Township of Westminster, in the County of Middlesex, yeoman,

HUMBLY SHEWETH:

1. That one William M. Little, late of the Township of Westminster, in the County of Middlesex, yeoman, deceased, was, at the time of his death, seized in fee of the following lands and tenements, namely: First, the south half of lot number sixty-two, on the east side of the north branch of the Talbot Road, in the said Township of Westminster, containing by admeasurement one hundred acres of land, be the same more or less. Second, the south half of lot number fifty-nine, west, on the north branch of the Talbot Road, and may be described as follows, that is to say, commencing on the west side of the said road, in the limit between lots numbers fifty-eight and fifty-nine, at the south-east angle of the said lot, along the westerly side of the said road ten chains, more or less, that is to say, to the centre of the said lot; thence westerly to the rear of the lot, in a line parallel to that which bounds it on the south; then south to the south-west corner of the said lot, containing by admeasurement one hundred acres, be the same more or less. Third, the north half of lot number sixty-two, east, on the north branch of the Talbot Road, in the said Township of Westminster, and which may be better known as follows: Commencing on the east side of the north branch of the Talbot Road, and at the north-west angle of the said lot, then north seventy degrees east one hundred chains, more or less, to the allowance for road in the rear of the said lot; then south twenty degrees, east ten chains, more or less, to the centre of the said lot; then south seventy degrees, west one hundred chains, more or less, to the Talbot Road afore-

said; then north twenty degrees, west ten chains, more or less, to the place of beginning, containing by admeasurement one hundred acres, be the same more or less. Fourth, the north half of lot number sixty-one, east of the Talbot Road, in the said Township of Westminster, containing by admeasurement one hundred acres, be the same more or less.

2. That the said William M. Little departed this life on or about the eighteenth day of November, in the year of our Lord one thousand eight hundred and seventy-four, intestate, leaving your Complainant, and the Defendants, Thomas Little, Mary Jane Adams, Sarah Jane Brown, Jemima Brown, Jemima Bennett, Margaret Cummins, James Hiram Brown, Boliver Samuel Brown, Sobeski Little, Malissa Little, Matilda Little the younger, James Benson Little, Olive Little, Mary Alice Little, Martha Jane Defield, Sabra Ann Weir, Jemima Emeline Colquhoun, Sarah Mair Mantle, James Edmond Mantle, George Washington Mantle, and Sobeski Brown Mantle, and one John Hawthorn Mantle, his heirs-at-law, him surviving.

3. That the said John Hawthorn Mantle, mentioned in the preceding paragraph of this Bill, by Indenture, bearing date on or about the eighth day of June last, granted, conveyed and assured all his estate, interest and share of and in the lands and premises hereinbefore described, to the Defendant, James Seales.

4. That your Complainant and the Defendants, Thomas Little, Mary Jane Adams, Margaret Cummins, Sarah Ann Brown, and Jemima Bennett, are the only surviving brothers and sisters of the said William M. Little; that the Defendants, James Hiram Brown and Boliver Samuel Brown are the only surviving children and heirs-at-law of Emeline Brown, deceased, who was a sister of the said William M. Little, who intermarried with one Hiram Brown, and who died intestate; that the Defendants, Martha Jane Defield, Sabra Ann Weir and Jemima Emeline Colquhoun, Sarah Mair Mantle, James Edmond Mantle, George Washington Mantle, Sobeski Brown Mantle and the said John Hawthorn Mantle are the only surviving children and heirs-at-law of Eliza Matilda Mantle, deceased, a sister of the said William M. Little, who died intestate, the first two being children of the said Eliza Matilda by her intermarriage with one Peter Defield, deceased, and the others, children of hers by one Joseph Mantle, with whom, after the death of the said Peter Defield, she intermarried; and the Defendants, Sobeski Little, Malissa Little, Matilda Little the younger, James Benson Little, Olive Little and Mary Alice Little are the only children and heirs-at-law of James Little, a brother of the said William M. Little, who died intestate.

5. That your Complainant and the Defendants, Thomas Little, Mary Jane Adams, Margaret Cummins, Sarah Ann Brown and Jemima Bennett are each entitled to a ninth share; and the Defendants, James Hiram Brown and Boliver Samuel Brown, to a one-eighteenth share each; and the Defendants, Sobeski Little, Malissa Little, Matilda Little the younger, James Benson Little, Olive Little and Mary Alice Little, each to a one fifty-fourth share; and the Defendants, Martha Jane Defield, Sabra Ann Weir, Jemima Emeline Colquhoun, Sarah Mair Mantle, James Edmond Mantle, George Washington Mantle and Sobeski Brown Mantle, and the Defendant, James Seales, to a one seventy-second share each of and in the said lands and premises. That the Defendant, Matilda Little, is the widow of James Little, deceased, and as such is entitled to dower of and in a one-ninth share of the said lands and premises.

6. That, except as to dower, none others but those in the preceding paragraph of this Bill named are entitled to any interest in the said lands and premises.

Your Complainant charges and alleges to be the case, that in consequence of the number of shares unto which the said property is to be divided, a sale would be more advantageous to all parties than a partition.

Your Complainant therefore prays—

1. That it may be declared that a sale of the said lands would be more advantageous to all parties than a partition.

2. That an enquiry may be had and taken of what dower, if any, any party or parties are entitled to of and in the said lands and premises other than the Defendant, Matilda Little; and in case any parties may be found entitled to dower, that they may be made parties to this suit, and a sum of money may be set apart and paid to them and the said Matilda Little in lieu of dower, and the said lands and premises sold, freed and discharged from such dower.

3. That the said lands may be sold, and the proceeds divided among those interested, according to their respective shares.

4. For the purposes aforesaid, that all proper directions may be given and accounts taken.

5. That your Complainant may be paid his costs of this suit.

6. That your Complainant may have such further and other relief in the premises as to your Lordship may seem meet.

7. And your Complainant will ever pray.